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**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

**The Minutes**

**June 19, 2006**

At 9:33 a.m., the court met in the Library and Courts Building to begin its court calendar session. Present were Scotland, Presiding Justice; Sims, Associate Justice; Nicholson, Associate Justice; and Guzman and Ellis, bailiffs.

**C045405      THE HESS COLLECTION WINERY v. AGRICULTURAL LABOR RELATIONS BOARD and UNITED FOOD AND COMMERCIAL WORKERS UNION AND FRESH FRUIT AND VEGETABLE WORKERS LOCAL 1096**

Cause called. Michael Hoffman argued for petitioner. Douglas J. Woods, Deputy Attorney General, and Scott A. Kronland argued for real parties in interest. Cause submitted.

At 10:26 a.m., the court recessed. At 10:28 a.m., the court reconvened with Blease, Associate Justice; Sims, Associate Justice; and Robie, Associate Justice.

**C046211      EL DORADO IRRIGATION DISTRICT et al. v. STATE WATER RESOURCES CONTROL BOARD and WESTLANDS WATER DISTRICT and STATE WATER CONTRACTORS, INC., et al. and DEPARTMENT OF WATER RESOURCES**

Cause called. Clifford Lee, Deputy Attorney General, argued for defendant appellant cross-respondent. Nicholas A. Jacobs and Sandra K. Dunn argued and Frederic L. Schaefer appeared only for plaintiff respondent cross-appellant. Daniel J. O'Hanlon and Eric L. Garner appeared only for real parties in interest. Cause submitted.

At 11:22 a.m., the court recessed. At 11:27 a.m., the court reconvened with Sims, Associate Justice; Morrison, Associate Justice; and Cantil-Sakauye, Associate Justice.

**C050589      SIERRA PACIFIC INDUSTRIES v. WORKERS' COMPENSATION APPEALS BOARD et al.**

Cause called. Roy W. Wesley argued for petitioner. Jon C. Brissman argued for respondent Placerville Chiropractic. Cause submitted.

At 11:43 a.m., the court recessed. At 2:01 p.m., the court reconvened with Scotland, Presiding Justice; Blease, Associate Justice; and Nicholson, Associate Justice.

**C048694      MICKELS-SWAN v. SWAN**

Cause called. James S. Gordon argued for appellant. Randy L. Bakke argued for respondent. Cause submitted.

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**June 19, 2006, continued**

Cause called. Richard Power, court appointed counsel, argued for appellant. Peter W. Thompson, Deputy Attorney General, argued for respondent. Additional simultaneous supplemental briefing directed. Both sides to file by June 26, 2006. Cause submitted.

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**The Minutes**

**June 20, 2006, continued**

At 9:56 a.m., the court recessed. At 9:57 a.m., the court reconvened with Sims, Associate Justice; Morrison, Associate Justice; and Butz, Associate Justice.

**C050490      POPEJOY v. POPEJOY and SHASTA COUNTY DEPARTMENT OF CHILD SUPPORT SERVICES**

Cause called. Sharon Quinn, Deputy Attorney General, argued for intervenor-appellant. There was no appearance made by either respondent. Cause submitted.

At 9:59 a.m., the court recessed. At 10:02 a.m., the court reconvened with Morrison, Associate Justice; Hull, Associate Justice; and Butz, Associate Justice.

**C049525      SAVE OUR NEIGHBORHOOD et al. v. LISHMAN, as Mayor, etc. et al. and MACKAY et al.**

Cause called. Stephen C. Volker argued for appellants. Whitman F. Manley argued and Sabrina V. Teller appeared only for real parties in interest-Respondents. John W. Driscoll, City Attorney, appeared only for defendants-respondents. Cause submitted.

At 10:35 a.m., the court recessed until 9:30 a.m., Wednesday, June 21, 2006.

**C049315      THE PEOPLE v. YOO      (Not for Publication)**

The judgment is affirmed.  
SCOTLAND, P.J.  
We Concur: Davis, J.  
Nicholson, J.

**C049940      THE PEOPLE v. IVY      (Not for Publication)**

The judgment is affirmed.  
SCOTLAND, P.J.  
We Concur: Davis, J.  
Nicholson, J.

**C050181      THE PEOPLE v. LANNING      (Not for Publication)**

The judgment is affirmed.  
BUTZ, J.  
We Concur: Hull, Acting P.J.  
Cantil-Sakauye, J.

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**June 20, 2006, continued**

**C050365      THE PEOPLE v. FITZGERALD      (Not for Publication)**

The judgment is affirmed. The trial court is directed to prepare a corrected abstract of judgment as specified in the opinion and to forward a certified copy to the Department of Corrections and Rehabilitation.

NICHOLSON, J.

We Concur:    Scotland, P.J.  
                     Davis, J.

**C050908      THE PEOPLE v. ALVAREZ II      (Not for Publication)**

The judgment is affirmed.

SCOTLAND, P.J.

We Concur:    Davis, J.  
                     Nicholson, J.

**June 21, 2006**

At 9:31 a.m., the court met in the Library and Courts Building to begin its court calendar session. Present were Scotland, Presiding Justice; Davis, Associate Justice; Robie, Associate Justice; and Guzman, bailiff.

**C049222      THE PEOPLE v. HAFF**

Cause called. Richard M. Doctoroff, court appointed counsel, argued for appellant. Susan Rankin Bunting, Deputy Attorney General, argued for respondent. Cause submitted.

At 10:00 a.m., the court recessed until 9:30 a.m., Thursday, June 22, 2006.

**C050514      BASSETT et al. v. LAKESIDE INN, INC. et al.      (Certified for Partial Publication)**

The judgment is affirmed.

MORRISON, Acting P.J.

We Concur:    Robie, J.  
                     Cantil-Sakauye, J.

**C050702      In re ALEXANDRA G.; THE PEOPLE v. ALEXANDRA G.      (Not for Publication)**

Probation condition No. 2 is modified as follows:... As modified, the judgment is affirmed.

RAYE, J.

We Concur:    Scotland, P.J.  
                     Davis, J.

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**The Minutes**

**June 21, 2006, continued**

**C048558      WORTHINGTON v. WORTHINGTON**

BY THE COURT:

Appellant's petition for rehearing is denied.

HULL, J.

CANTIL, J.

I would grant the petition for rehearing.

SCOTLAND, P.J.

**June 22, 2006**

At 9:31 a.m., the court met in the Library and Courts Building to begin its court calendar session. Present were Morrison, Associate Justice; Robie, Associate Justice; Cantil-Sakauye, Associate Justice; and Guzman, bailiff.

**C047476      THE PEOPLE v. HANSEN**

Cause called. Stephen Greenberg, court appointed counsel, argued for appellant. Janine R. Busch, Deputy Attorney General, argued for respondent. Cause submitted.

At 10:01 a.m., the court recessed until 9:30 a.m., Friday, June 23, 2006.

**C051176      THE PEOPLE v. DAVIS**

**(Not for Publication)**

The judgment is affirmed.

NICHOLSON, J.

We Concur: Scotland, P.J.

Davis, J.

**C049406      SOLOVIEFF-WILLIAMS v. RICE et al.      (Not for Publication)**

The judgment is affirmed. Plaintiff shall pay defendants their costs of this appeal. (Cal. Rules of Court, rule 27.)

MORRISON, J.

We Concur: Nicholson, Acting P.J.

Robie, J.

**C049509      MAXEY et al. v. BRIDGESTONE/FIRESTONE NORTH AMERICAN TIRE**

The judgment is affirmed.

BLEASE, Acting P.J.

We Concur: Morrison, J.

Cantil-Sakauye, J.

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**June 22, 2006, continued**

**C049668      RIGGS v. 7-H TECHNICAL SERVICES GROUP, INC. et al.**  
**(Not for Publication)**

The judgment is affirmed.  
MORRISON, J.  
We Concur:    Sims, Acting P.J.  
                 Cantil-Sakauye, J.

**C050338      MINCH v. CALIFORNIA HIGHWAY PATROL**  
**(CERTIFIED FOR PUBLICATION)**

The judgment is affirmed.  
SCOTLAND, P.J.  
We Concur:    Blease, J.  
                 Nicholson, J.

**C050709      TEICHERT CONSTRUCTION v. CALIFORNIA OCCUPATIONAL SAFETY AND  
HEALTH APPEALS BOARD and DEPARTMENT OF INDUSTRIAL  
RELATIONS, DIVISION OF OCCUPATIONAL SAFETY AND HEALTH**  
**(CERTIFIED FOR PUBLICATION)**

The judgment is affirmed.  
SCOTLAND, P.J.  
We Concur:    Blease, J.  
                 Nicholson, J.

**C050757      LODUCA, JR. v. POLOZOS**  
**C052481      LODUCA, JR. v. POLOZOS**  
**BY THE COURT:**

The stipulation of the parties for consolidation of the above cases is  
granted...

... Appellants' opening briefs and appendices are due on or before  
July 12, 2006.

SCOTLAND, P.J.

**June 23, 2006**

At 9:32 a.m., the court met in the Library and Courts Building to begin its  
court calendar session. Present were Scotland, Presiding Justice; Nicholson,  
Associate Justice; Butz, Associate Justice; and Facey, bailiff.

**C048584      THE PEOPLE v. HENRY**

Cause called. Michelle E. Guardado, court appointed counsel, argued for  
appellant. Maggy Krell, Deputy Attorney General, argued for respondent. Cause  
submitted.

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**June 23, 2006, continued**

At 10:01 a.m., the court recessed. At 10: 05 a.m., the court reconvened with Nicholson, Associate Justice; Robie, Associate Justice; and Butz, Associate Justice.

**C051059      EVERSOLE v. FITZSIMMONS et al.**

Cause called. Joedy DeFrank argued for appellant. Janis Hulse argued for respondents. Cause submitted.

At 10:44 a.m., the court recessed. At 10:45 a.m., the court reconvened with Nicholson, Associate Justice; Robie, Associate Justice; and Butz, Associate Justice.

**C050070      GRIGG v. TAYLOR**

Cause called. Eric L. Sayre argued for appellant. Brett E. Rosenthal argued for respondent. Cause submitted.

At 11:11 a.m., the court recessed until 9:30 a.m., Monday, June 26, 2006.

**C048284      THE PEOPLE v. HARRELL      (Not for Publication)**

The trial court is directed to correct the minute order to reflect that the jury acquitted defendant of possession of methamphetamine for sale. The judgment is affirmed.

SIMS, Acting P.J.

We Concur:    Hull, J.  
                     Robie, J.

**C049417      THE PEOPLE v. CULP      (Not for Publication)**

The judgment is affirmed.

BLEASE, Acting P.J.

We Concur:    Robie, J.  
                     Butz, J.

**C050121      THE PEOPLE v. BROWN      (Not for Publication)**

The judgment is affirmed.

CANTIL-SAKAUYE, J.

We Concur:    Scotland, P.J.  
                     Nicholson, J.

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**June 23, 2006, continued**

- C049110      HOWERTON et al. v. IZANT      (Not for Publication)**  
The matter is remanded to the trial court with directions to determine the attorney fees incurred by plaintiffs in responding to the second cause of action... In all other respects the judgment (order of costs on partition) is affirmed. The parties shall bear their own costs on appeal. (Cal. Rules of Court, rule 27(a)(3).)  
BUTZ, J.  
We Concur:    Blease, Acting P.J.  
                  Nicholson, J.
- C051423      In re STEPHANY A.; YOLO COUNTY DEPARTMENT OF EMPLOYMENT AND  
SOCIAL SERVICES v. KIMBERLY A.      (Not for Publication)**  
The orders of the juvenile court are affirmed.  
NICHOLSON, J.  
We Concur:    Scotland, P.J.  
                  Davis, J.